

mistakes resulted in over 180 deaths of children in foster care since 1993, 40 of whom died as a direct result of government workers' failure to take key preventative actions or because they placed children in unsafe homes or institutions.

Again just last week, the Post ran a story about deficiencies in District's child services. According to this story, "nearly 80 percent of the District's child abuse complaints were not investigated within 30 days and close to two-thirds of foster homes housing city children were unlicensed this year," a study reported. The article continues: "Among the reports' findings, 30 percent of the children under District care were not visited by social workers during their first 8 weeks in foster care. Thirty-seven percent of child neglect complaints were not investigated within 30 days after they came into the city's hotline. Abuse and neglect cases are required to be investigated within a 30-day period."

Stories like this, have been running for years in the District of Columbia. What is happening here in America's capital, is a national tragedy. I realize that no child welfare system is perfect. Each one of us representing our respective States has seen problems in our home States, but what we see in the District of Columbia is an absolute outright scandal.

Since being appointed to the District of Columbia Appropriations Committee, I have made it my personal mission to find financial solutions for the problems facing District of Columbia's foster children. In March, we laid the groundwork for a District of Columbia Family Court Bill that would be bipartisan and effective. In drafting this bill, we have held numerous hearings, met with child welfare advocates from across the District, and had countless meetings with the District of Columbia Superior Court Judges.

The bill we are now passing today includes a number of important reforms that would ensure that the judicial system protects the children of the District. First, it increases the length of judicial terms for judges from 1 year for judges already presiding over the Superior Court to 3 years. New judges appointed to the Superior Court and then assigned to the Family Court will have 5-year terms. This change enables judges to develop an expertise in Family Law.

Second, our bill creates magistrates so that the current backlog of 4,500 permanency cases can be properly and adequately addressed. These magistrates will be distributed among the judges according to a transition plan, which must be submitted to Congress within 90 days of passage of this bill. We want to make sure the court has the flexibility to deal with these important child welfare issues.

Third, the bill provides the resources for an Integrated Judicial Information System, IJIS. This will enable the court to track and properly monitor

family cases and will allow all judges and magistrates to have access to the information necessary to make the best decisions about placement and child safety.

Fourth, a reform in the bill that I find extremely important is the One-Judge/One Family provision. This policy will ensure that the same judge, a judge who knows the history of a family and the child, will be making the important permanency decisions. This provision is essential for those hard cases involving abuse and neglect. It ensures consistency. It ensures safety. And, it just makes sense.

Ultimately, our bill will help provide consistency through the One-Judge/One-Family provision. It will help increase safety and security, and it will help instill stability for the children of the District. We need to give the children in the District's welfare system all of these things. It is the right thing to do.

We must never, ever lose sight of our responsibility to the children involved. Their needs and their best interests must always come first. And today, I believe we are putting children first and taking a huge step forward on their behalf.

#### AUTHORIZING REPRESENTATION BY SENATE LEGAL COUNSEL

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of a resolution submitted earlier today by the majority and Republican leaders.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 192) to authorize representation by the Senate Legal Counsel in *Judith Lewis v. Rick Perry, et al.*

There being no objection, the Senate proceeded to consider the resolution.

Mr. DASCHLE. Mr. President, this resolution concerns a civil action commenced in the District Court for Dallas County, Texas. The lawsuit, filed by a pro se plaintiff, names Texas Governor Rick Perry and Senator KAY BAILEY HUTCHISON as defendants. While the allegations in the complaint are not clear, the plaintiff appears to call for the impeachment of the defendants by the Texas state courts because of some unspecified, official action. This resolution authorizes the Senate Legal Counsel to represent Senator HUTCHISON in this suit.

Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 192) was agreed to.

The preamble was agreed to.

(The text of the resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2002

Mr. DASCHLE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.J. Res. 78, the continuing resolution, just received from the House.

The PRESIDING OFFICER. The clerk will report the joint resolution by title.

The legislative clerk read as follows:

A joint resolution (H.J. Res. 78) making further continuing appropriations for the fiscal year 2002, and for other purposes.

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. DASCHLE. Mr. President, I ask unanimous consent that the joint resolution be read a third time, passed, and the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The joint resolution (H.J. Res. 78) was read the third time and passed.

#### MEASURE READ THE FIRST TIME—S. 1833

Mr. DASCHLE. Mr. President, I understand that a bill introduced earlier today by Senator COLLINS is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill for the first time.

The legislative clerk read as follows:

A bill (S. 1833) to amend the Public Health Service Act with respect to qualified organ procurement organizations.

Mr. DASCHLE. Mr. President, I now ask for its second reading and object to my own request.

The PRESIDING OFFICER. The bill will remain at the desk.

#### ORDER FOR RECORD TO REMAIN OPEN

Mr. DASCHLE. Mr. President, I ask unanimous consent that the RECORD remain open today until 4 p.m. for the introduction of legislation and the submission of statements.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ORDERS FOR MONDAY, DECEMBER 17, 2001

Mr. DASCHLE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:30 p.m., Monday, December 17; that on Monday, immediately following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that there then be a period for

morning business until 1 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### PROGRAM

Mr. DASCHLE. For the information of the Senate, as previously announced, no rollcall votes will occur on Monday. The next vote will occur on Tuesday, December 18, at 11 a.m.

#### ORDER FOR ADJOURNMENT

Mr. DASCHLE. Mr. President, if there is no further business to come before the Senate today, I now ask unanimous consent that the Senate stand adjourned as under the previous order, following the remarks of Senator SESSIONS.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DASCHLE. I thank the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

#### MONEY SPENT UNWISELY

Mr. SESSIONS. Mr. President, one thing we need to do a better job of in this Congress—and we do have oversight and appropriations authority for all moneys that are expended—is to make sure that those moneys have been spent wisely, efficiently, and that the taxpayers' interests are protected with the same degree of fidelity that homeowners and families protect theirs, as small business people protect theirs. We don't always do that. We spend such big sums of money that sometimes we think small matters are not that significant.

I had the responsibility a few years ago as Attorney General of Alabama to take over an office that was financially out of control. We had a huge debt facing the office the year I took office. We had to reduce personnel, substantially cut back on all kinds of things, and to reorganize the office. When it was over, even though we had lost some good people—no career people, thank goodness, but almost a third of the office, those who were political appointees; that office has never gotten close to the same number of people that it had—what we found was that working together we actually improved productivity. We did a great job. The people worked hard. They reorganized. They had a new vision.

We have a false impression that money is the only thing that answers a problem around here. Always the answer is, just give it more money. And we in Congress say: We did what we could; that is somebody else's problem.

I have initiated a program I call "Integrity Watch." It is a program in which I take time periodically to ana-

lyze bad fiscal management expenditure practices in our Government and to highlight those. The one today I take no real pleasure in. It was a sad, confusing story, but it is appropriate for the taxpayers to know the final outcome, to see what has happened, to be aware of how much it has cost us in expenditures.

Many people remember the decision by General Shinseki, Chief of Staff of the Army, to change the berets to give everybody a black beret. He set a deadline of this year, only a few months away from that date, and he had to find a whole lot of berets in a hurry. Under the Berry amendment, the Federal law requires that all clothing items be manufactured within the United States except in times of armed conflict.

What happened with the deadline that was given was, the Defense Logistics Agency, that had been delegated the authority way down the line to grant waivers of the Berry amendment, found itself in a position where they did not have sufficient American manufacturers to meet that deadline. And so based on this artificial goal by the Chief of Staff of the Army, General Shinseki, they set about to get the berets wherever they could. They issued waivers and started getting berets from all over.

They got 925,000 of them made from China, by the Communist government. Other countries were called on and agreed to manufacture in this rushed process. When that all became public and there were complaints about the beret decision to begin with and all these factors came up, there was quite an uproar. The result was that the military admitted that they had not complied at least with the spirit of the Berry amendment, that they should not utilize the Chinese-made black berets, worth \$6.5 million, and so they stored them. They paid for them. They stored them. So we now have 925,000 black berets valued at \$6.5 million not being utilized. Hopefully, some other army in the world might buy them from us, but we are certainly going to take a big hit on that.

Another thing that we learned: Some of this information came about as a result of my request to the General Accounting Office that does audits for the Congress and other agencies to determine how moneys are being spent. We just got this audit back earlier this week. The General Accounting Office report indicates a number of other things that happened.

GAO declared that the military, in order to meet its deadline, chose to shortcut normal contracting procedures. They found, for example, that the defense logistics agency awarded the first set of contracts without competition.

According to the contract documents, all the contract actions were not completed because of "an unusual and compelling urgency." The real urgency was the self-imposed deadline they set.

It also goes on to point out that these rushed up contracts hadn't worked very well. Not only were they being done substantially outside the United States by foreign suppliers in violation of congressional acts, but they weren't being performed well and had to be canceled.

The Denmark military equipment supplier which manufactured black berets in Romania agreed to supply 480,000 berets. Only 90,000 have been supplied, and the military canceled the order for 350,000.

Another one was a Bernard Cap Company, which is manufacturing the berets in South Africa but with Chinese content. They contracted to supply 750,000 berets. The cancellation has now taken place, and 442,000 were canceled.

A third contract was with Northwest Woolen Mills to have the berets manufactured in India. The number purchased was 342,000; the number delivered was 56,000; the quantity canceled was 235,000.

Every time the military has to go through a cancellation of a contract, it costs us money. We all know that. That was bad management. A lot of things happened that I think were not good. I am, however, quick to say that the Assistant Deputy Secretary of Defense, Paul Wolfowitz, early on had a study and review done of the compliance with the Berry amendment. And what they concluded was that he would direct an order, throughout the Defense Department, requiring compliance with the Berry amendment, directing that any waiver authority could not be delegated below the Under Secretary of Defense for Acquisition. That is what the problem was in this case.

It required that no waivers be granted without a full analysis of the alternative because it is easy to say there is no supplier in the United States. But had the Defense Department really searched it out to make sure that is true? Had they considered other possibilities? He directed that it be done. He achieved revisions throughout the acquisition regulations which govern our military forces as they make acquisitions. There are complex regulations and he revised them to make sure there would be no further violations of the Berry amendment. In the course of all this, he uncovered at least three cases in which the Berry amendment had apparently been violated. No one had even raised it, and no analysis or waiver had been done. They just went on and purchased military apparel outside the U.S. without any kind of waiver authority.

Now, the Chief of Staff of the Army came under a lot of criticism, and I think he told the truth. He was frank when he discussed why he did what he did and why he believed it was important. I think he made a mistake. He did not argue with people about it. He explained why he did what he did, and he believe he was justified. So I hope that is a learning experience there.